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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,754	10/30/2003	Kyeong-Seon Choi	678-1278(P11425)	8790

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EXAMINER	
WILLIAMS, ROSS A	

ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
06/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/697,754	CHOI, KYEONG-SEON	
	Examiner	Art Unit	
	ROSS A. WILLIAMS	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 April 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/7/2008 has been entered.

Response to Amendment

Claims 1 and 7 have been amended.

Claims 1 – 13 are currently pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 – 5 and 7 – 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maher (US 2004/0002326) in view of Perinpanathan (US 2002/0083145) in view of Iijima et al (US 6,839,435).

Claims 1 and 7: Maher discloses a system of mobile devices such as cell phones that enable end users of the cell phones to determine the score or "threshold event" of a game as is reported to dedicated server and a database (Maher par 0024). Maher discloses that the mobile devices can download copies of applications on the mobile device independent of the game server (Maher 0029). Maher discloses that the server contains an applet that is responsible for tracking scores or threshold events and accessing data in the database. At the end of the application the applet stored the score or event information in the server-side database (Maher 0030). Maher discloses that the mobile device provides an identification number to be identified by the server, such as a PIN, MIN, ESN, or EID (Maher 0031). Maher does not specifically disclose a mobile game device that downloads a game that has a gameplay mode that is user can play in an offline mode wherein the game does not communicate with a mobile game server. However, Perinpanathan discloses a method and system for providing offline and online services to a mobile device. Specifically, Perinpanathan disclose the mobile device the user operates can be a mobile telephone or a gaming device or a computer (Perinpanathan par 0027). The system of Perinpanathan may operate in a similar manner like that of Maher by providing communication services that user Java platform

technology and use Java Applets to facilitate the communications of the mobile device and the central servers (Perinpanathan par 0028). Perinpanathan teaches that the mobile devices may download content from a central server in an online mode and store the interactive content on the mobile device. This interactive content may be in the form of electronically downloaded games (Perinpanathan par 0028, 0029, 0039). The mobile device may execute the interactive content which may be an electronic game in an offline mode wherein communication of the game with a central server does not take place (Perinpanathan par 0007). While it is implied that the mobile terminal of Maher does indeed download the resultant game scores from the game server, it is not expressly or explicitly stated (Maher par 0049). However, Iijima discloses a scoring system that calculates and stores ranking information pertaining to multiple game players. Iijima discloses that it is well known to transmit by means of downloading game scores that are stored in a database that are connected to a game server, to remote user devices such as a PC. Iijima discloses that this can be done by means of a server storing a homepage wherein the scores are stored on the server and the user accesses the server by means of the homepage to download the game scores to the game terminal or PC (Iijima 1:14 – 36).

It would be obvious to one of ordinary skill in the art to modify Maher in view Perinpanathan to provide a system wherein the downloaded content such as the interactive game can operate in an offline mode. This would be beneficial in light of Perinpanathan which specifically states that this would reduce the amount and frequency of over the air data exchange thereby reducing bandwidth consumption and

air time costs as well as enables the operation of the mobile device and games in the event that network connectivity is limited or non-existent (Perinpanathan par 0004, 0009). It would be obvious to one of ordinary skill in the art to modify Maher in view Iijima to provide a means to download and transmit the scores that are stored on the game server database to the player's terminal game device. This would allow the player to see how they rank up with other players of the same game.

Claims 2, 8 and 9: Maher discloses a system that updates and stores game scores that are related to a game that is downloaded to a mobile device such as a cell phone. However, Maher does not specifically discloses that the game server determines whether or not a detected mobile device number is contained in memory and if it is contained in memory then the score for that number is updated and if the number is not contained in memory then the number is registered and the score associated with that number is stored in memory. However Iijima discloses a method of storing game scores according to the identity of the player or game machine identity, such as by means of a password of the game machine, email address name, comment, etc (Iijima 2:5 – 19, 3:12 – 15, 4:39 – 53). After the identifying information pertaining to the mobile device is determined to be authentic the game score is registered in correspondence to that number or identifier. If the mobile device already has registered a game score then the method determined if the score already stored should be updated with a new game score associated with the identifying information (Iijima 4:39 – 59)

It would be obvious to one of ordinary skill in the art to modify Maher in view of Iijima to provide a game wherein the system determines if the game score is to be initially stored or updated according to the a number or other identifying information like that disclosed in Maher. This would be obvious due to the fact that the registering a mobile device number provides a measure of security to ensure that the device is reporting a score for the correct device and that the scores always reflect the greatest score achieved by the mobile device or player of the mobile device.

Claims 3 and 10: Iijima discloses that the transmitting of a success indication relating to the storing of the score based upon the authentication of the mobile device (Iijima 4:49 – 53)

Claims 4 and 11: Maher discloses a mobile game device that inherently stores not only the game score that the user of the device achieves in the game but also game status information that is not related to the game score (i.e. the present state of the game as executed) irregardless of the determining that the resultant game score has been successfully stored or not stored in the memory of the game server. Thus it would be obvious to specify the storing of game information in addition to the game score upon the mobile device.

Claims 5 and 12: Iijima discloses the displaying of a message upon the user's terminal or mobile device upon the score registration being disabled (Iijima 5:38 – 42).

Claims 6 and 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maher (US 2004/0002326) in view of Perinpanathan (US 2002/0083145) in

view of Iijima et al (US 6,839,435) as applied above and in view of Tomizawa et al (US 6,500,070).

Claims 6 and 13: Maher does not specifically discloses that the resultant game score that is stored in memory includes at least one of a retention item, usage item, level information pertaining to a character's ability or position information. However, Tomizawa discloses a game system that enables multiple players to engage in a video game, wherein the main game unit stores in RAM a On the unit information storage area 260 are stored display coordinate positions (X, Y, Z), kinds and states of all the units 1-M. The kind of a unit represents what the unit represents, including e.g. a player, a player object, an enemy object, and item, etc. Also, the state of a unit is configured by various data corresponding to each unit number, such as player object HP (Hit Points), MP, player object level, etc (Tomizawa 8:14 – 25).

It would be obvious to modify Maher in view of Perinpanathan, Iijima and Tomizawa to provide a device such as a game server that stores various types of game related information that represents a player's progression in a video game and represent that data as a score. It is well known to store data representing the player level, abilities, position and items obtained or possessed in a game. Thus a player would be enabled to realize their status or score they have achieved in a game.

Response to Arguments

Applicant's arguments with respect to claims 1 -13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROSS A. WILLIAMS whose telephone number is (571)272-5911. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ronald Laneau can be reached on (571) 272-6784. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. A. W./
Examiner, Art Unit 3714
6/18/08

/Ronald Laneau/
Supervisory Patent Examiner, Art Unit 3714